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May 28, 2008

The Honorable J. Frederick Motz
United States District Judge
United States District Court for the District of Maryland
U.S. Courthouse, Chambers 5A
101 West Lombard Street
Baltimore, MD 21201

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MAY 28 2008
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DISTRICT OF MARYLAND
BY

Crack Reduction – Status Report

Re: United States v. Toy Burtron Madden, Case No. JFM-94-440

Dear Judge Motz:

Please accept and docket this letter as a status report in the above-captioned case. Toy Burtron Madden filed a *pro se* motion seeking a sentence reduction under 18 U.S.C. § 3582 based on retroactive application of Amendment 706 to the U.S. Sentencing Guidelines (lowering the sentences for crack cocaine offenses). The U.S. Probation Office has reviewed Mr. Madden's case and has determined that he is not eligible to seek relief under those provisions because his offense of conviction did not involve cocaine base. This office has conducted an independent review of Mr. Madden's case and does not see any basis on which to challenge Probation's finding. Mr. Madden was convicted of bank robbery, in violation of 18 U.S.C. § 2113. Because his offense did not involve any controlled substances, let alone cocaine base, it appears that he does not qualify for a sentence reduction under § 3582 and Amendment 706.

Please let me know if I can provide any further assistance to the Court.

Sincerely,



Sapna Mirchandani

cc: Barbara Sale, Assistant U.S. Attorney
Estelle Santana, U.S. Probation Officer
Toy Burtron Madden